

REMARKS

The no-rub cleaning and disinfecting solution disclosed and claimed in the present application has an effective amount of an osmolyte adjusting agent to increase the osmolality of the total solution for cleaning enhancement without adversely affecting the antimicrobial efficacy of the cleaning and disinfection solution. Demonstrating the effect of increasing osmolality on the cleaning and disinfecting efficacy of the solution, applicants conducted a number of experiments, which are disclosed in the subject specification. The results of the experiments clearly show that cleaning is enhanced with increased osmolality.

Claims 1-19 stand rejected under 35 U.S. C. 103(a) as being unpatentable over Riedhammer et al., U.S. Patent Number 4,820,352.

Applicants respectfully traverse the subject rejection of claims 1-19 under 35 U.S.C. 103(a). Riedhammer et al., '352 teach an aqueous cleaning dispersion with a **tonicity that may be modified with 0.9 percent saline to that of lacrimal fluids** to avoid lens discomfort if not thoroughly washed from the lens.

To the contrary, present invention as disclosed and claimed in the present application **does not** attempt to adjust tonicity of a lens cleaning solution to that of lacrimal fluids to avoid lens discomfort as taught by Riedhammer et al. Rather the present invention as disclosed and claimed includes at least one tonicity-adjusting agent in concentration sufficient to increase the cleaning efficacy of the solution to enable no-rub cleaning and disinfection of a contact lens. To achieve such no-rub cleaning and disinfection of a contact lens, the cleaning and disinfecting solution has a relatively high osmotic value of more than 300 mOsm/kg, preferably more than 400 mOsm/kg and more preferably more than 500 mOsm/kg. The claimed no-rub solution of the present invention thereby differs significantly from the teachings and suggestions of the Riedhammer et al., '352 solution that has an osmotic value or tonicity **like that of lacrimal fluids**. Riedhammer et al., '352 does not teach a method for cleaning contact lenses

without a digital rubbing step as suggested in the subject Office Action Final Rejection. Col. 12, claim 13 teaches contacting lenses with a cleaning solution. "Digital rubbing" of a lens with a cleaning solution is one method of "contacting" a lens with a cleaning solution, which is a necessary step using a solution with an osmotic value or tonicity like that of lacrimal fluids. Claim 13 likewise does not teach or suggest the use of an osmolyte or tonicity agent in said cleaning solution used in "contacting" said lenses. Accordingly, the unique no-rub solution of the present invention with osmolyte adjusting agents in a concentration sufficient to enhance the cleaning properties of the solution without adversely affecting its antimicrobial efficacy as disclosed and claimed in the subject application differs significantly from the teachings and suggestions of the lacrimal fluid-like solution of Riedhammer et al., '352. For these reasons in addition to others not set forth herein, the rejection of claims 1-19 under 35 U.S.C. 103(a) is thereby inappropriate. Withdrawal of the rejection claims 1-19 under 35 U.S.C. 103(a) is respectfully requested.

Pending claims 1-19 as now written are believed to be patentable.
Allowance of pending claims 1-19 is thereby respectfully requested.

Should there be any questions regarding this preliminary amendment,
please feel free to contact the undersigned at (636) 226-3340.

Respectfully submitted,


Rita D. Vacca
Reg. No.: 33,624

Bausch & Lomb, Inc.
One Bausch & Lomb Place
Rochester, New York 14604-2701